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Instrument: MISCELLANEOUS DOCUMENT

Control #: 201911060275

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Date: 11/06/2019

Time: 7:34:32 AM

Return To:
WILLIAM PATRICK MOORE

Doe, LG 32

Webster, Jeffrey T.
Hillside Children's Center
Hillside Family of Agencies
Ontario County Youth Care Facility Hopewell

Total Fees Paid: \$0.00

Employee:

State of New York

MONROE COUNTY CLERK'S OFFICE
WARNING – THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

ADAM J BELLO

MONROE COUNTY CLERK



STATE OF NEW YORK
SUPREME COURT : COUNTY OF MONROE

LG 32 DOE, as Parent and Natural Guardian
of, LG 33 DOE, an Infant,

COMPLAINT

Plaintiffs,

vs.

JEFFREY T. WEBSTER,
HILLSIDE CHILDREN'S CENTER,
HILLSIDE FAMILY OF AGENCIES, and
ONTARIO COUNTY YOUTH CARE
FACILITY HOPEWELL

Defendants.

Plaintiffs, above named, by their attorneys, LIPSITZ GREEN SCIME CAMBRIA
LLP, for their Complaint against Defendants herein, allege:

**AS AND FOR A FIRST CAUSE OF ACTION
AGAINST DEFENDANT,
JEFFREY T. WEBSTER, HEREIN:**

1. Plaintiffs, LG 32 DOE and LG 33 DOE, at all times hereinafter mentioned,
were and still are residents of the County of Ontario and State of New York.

2. At the time of the incidents set forth herein, Plaintiff, LG 33 DOE, (hereinafter
referred to as "THE CHILD") is an infant having been born in 2004.

3. Defendant, JEFFREY T. WEBSTER, (hereinafter referred to as "THE CHILD
MOLESTER") is a resident of the Town of Geneseo located within the County of Livingston and
State of New York.

4. Upon information and belief, at all times herein mentioned, Defendant,
HILLSIDE CHILDREN'S CENTER, was and still is a domestic not-for-profit corporation
duly organized and existing under and by virtue of the laws of the State of New York
and maintains an office for the transaction of business located within the County of

Monroe and State of New York.

5. Upon information and belief, at all times herein mentioned, Defendant, HILLSIDE FAMILY OF AGENCIES, was and still is a domestic not-for-profit corporation duly organized and existing under and by virtue of the laws of the State of New York and maintains an office for the transaction of business located within the County of Monroe and State of New York.

6. Upon information and belief, at all times herein mentioned, Defendant, ONTARIO COUNTY YOUTH CARE FACILITY HOPEWELL, was and still is a domestic not-for-profit corporation duly organized and existing under and by virtue of the laws of the State of New York and maintains an office for the transaction of business located within the County of Ontario and State of New York.

7. Defendants, HILLSIDE CHILDREN'S CENTER, HILLSIDE FAMILY OF AGENCIES and ONTARIO COUNTY YOUTH CARE FACILITY HOPEWELL, are hereinafter referred to as "HILLSIDE."

8. Upon information and belief, at all times herein mentioned, THE CHILD MOLESTER was hired and employed by Defendant, HILLSIDE.

9. Upon information and belief, at all times herein mentioned, THE CHILD MOLESTER, was acting as an agent, employee or representative of HILLSIDE.

10. Upon information and belief, at all times herein mentioned, THE CHILD MOLESTER was under the direction, supervision and control of Defendant, HILLSIDE.

11. Beginning in March, 2018, through June, 2018, THE CHILD MOLESTER sexually assaulted and committed battery upon THE CHILD and said assault and battery constituted sexual offenses as defined in Article 130 of the Penal Law.

12. The actions by THE CHILD MOLESTER herein were willful, malicious and intentional and resulted in injury to THE CHILD.

13. As a direct result of the conduct by THE CHILD MOLESTER as described herein, THE CHILD has suffered, and continues to suffer great physical and emotional pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, flashbacks, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life, was prevented and will continue to be prevented from performing daily activities and obtaining full enjoyment of life, and has incurred and will continue to incur expenses for medical, psychological treatment, therapy and counseling.

14. This action falls within one or more of the exceptions set forth in CPLR §1602.

15. As a result of the foregoing, THE CHILD, has sustained general and special damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

16. As a result of the foregoing, THE CHILD, claims punitive damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION
AGAINST DEFENDANT, HILLSIDE, HEREIN:**

17. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in paragraphs "1" through "16" of this Complaint with the same force and effect as if fully set forth herein.

18. Upon information and belief, Defendant, HILLSIDE, trained, hired, selected and approved THE CHILD MOLESTER as an employee of HILLSIDE, and put him in a position with authority and power over THE CHILD.

19. Defendant, HILLSIDE, knew or reasonably should have known of the propensities of THE CHILD MOLESTER to commit acts of sexual assault, battery,

rape and other sexual offenses against THE CHILD and other children.

20. Upon information and belief, prior to the incidents set forth herein, Defendant, HILLSIDE, was aware and was otherwise on actual notice that their employee, THE CHILD MOLESTER, was sexually abusing and/or sexually assaulting and/or molesting children.

21. Upon information and belief, the aforesaid incidents and resultant injury and damages to THE CHILD were caused as a result of the negligence, carelessness and recklessness of Defendant, HILLSIDE, in the training, hiring, selecting and assignment of THE CHILD MOLESTER.

22. The acts and/or omissions of Defendant, HILLSIDE, constitute reckless disregard for the safety of THE CHILD and other children.

23. As a result of the foregoing, THE CHILD has sustained general and special damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A THIRD CAUSE OF ACTION
AGAINST DEFENDANT, HILLSIDE, HEREIN:**

24. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in paragraphs "1" through "23" of this Complaint with the same force and effect as if fully set forth herein.

25. Upon information and belief, the aforesaid incidents and resultant injury to THE CHILD, were caused as a result of the negligence, carelessness and recklessness of Defendant, HILLSIDE, in retaining THE CHILD MOLESTER.

26. The acts and/or omissions of the Defendant, HILLSIDE, constitute reckless disregard for the safety of THE CHILD and other children.

27. As a result of the foregoing, THE CHILD has sustained general and special damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A FOURTH CAUSE OF ACTION
AGAINST DEFENDANT, HILLSIDE, HEREIN:**

28. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in paragraphs "1" through "27" of this Complaint with the same force and effect as if fully set forth herein.

29. Upon information and belief, the aforesaid incidents and resultant injury to THE CHILD, were caused as a result of the negligence, carelessness and recklessness of Defendant, HILLSIDE, in supervising THE CHILD MOLESTER.


30. The acts and/or omissions of the Defendant, HILLSIDE, constitute reckless disregard for the safety of THE CHILD and other children.

31. As a result of the foregoing, THE CHILD has sustained general and special damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, Plaintiff demands judgment against Defendants, either jointly or severally, in the First, Second, Third and Fourth Causes of Action in compensatory and punitive damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction, and for such other, further or different relief as the Court may deem just and proper, together with the costs and disbursements of the action.

DATED: Buffalo, New York
November 5, 2019

LIPSITZ GREEN SCIME CAMBRIA LLP

By: 
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